

# Exhibit A

**Hwang, Daniel In**

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**From:** Hwang, Daniel In  
**Sent:** Thursday, June 27, 2013 5:21 PM  
**To:** 'Peter Brasher'; Christopher Honea  
**Cc:** Murphy, Michael T; Schortgen, Steven G.; Ayers, Jennifer Klein; Randall Garteiser  
**Subject:** RE: [Blue Spike] Motion for Jurisdictional Discovery  
**Attachments:** Agnitio Rogs.pdf

Peter,

Thank you for conferring with us telephonically on Tuesday June 25 and today regarding Blue Spike's requests for jurisdictional discovery.

This confirms that:

- Blue Spike agree to foregoes its request for a 30(b)(6) deposition;
- Agnitio agrees to answer Blue Spike's jurisdictional interrogatories (attached) by July 3, 2013; and
- Blue Spike's requests for production are still under discussion.

Once you have reviewed Agnitio's answers, if you have any further specific concerns or believe the document requests would still have a bearing on the jurisdictional issue, we agree to meet and confer at that time before reverting to any motion practice before the Court.

Have a good weekend.

Regards,  
Daniel

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**From:** Peter Brasher [mailto:pbrasher@ghiplaw.com]  
**Sent:** Monday, June 24, 2013 5:14 PM  
**To:** Christopher Honea  
**Cc:** Hwang, Daniel In; Murphy, Michael T; Schortgen, Steven G.; Ayers, Jennifer Klein; Randall Garteiser  
**Subject:** Re: [Blue Spike] Motion for Jurisdictional Discovery

Good afternoon Daniel,

We did not hear back from you regarding a day and time to meet and confer on the issue of jurisdictional discovery. Will tomorrow at noon PST work? If not please notify us of a different day and time.

Regards,

Peter Brasher  
Garteiser Honea - Trial Attorneys  
[pbrasher@ghiplaw.com](mailto:pbrasher@ghiplaw.com)  
44 N San Pedro Road  
San Rafael, CA 94903  
(888) 908-4400 ex 104  
[www.ghiplaw.com](http://www.ghiplaw.com)

On Jun 21, 2013, at 11:17 AM, Christopher Honea <[chonea@ghiplaw.com](mailto:chonea@ghiplaw.com)> wrote:

Thank you, Daniel. How about noon PST next Tuesday?

Christopher A. Honea  
**Garteiser Honea - Trial Attorneys**  
[chonea@ghiplaw.com](mailto:chonea@ghiplaw.com)  
44 N. San Pedro Road  
San Rafael, California 94903  
(415) 785-3762  
(415) 785-3805 (fax)  
[www.ghiplaw.com](http://www.ghiplaw.com)

On Jun 20, 2013, at 11:19 AM, Hwang, Daniel In wrote:

Dear Christopher,

Thank you for your email. What times are you available tomorrow or early next week for a meet and confer?

Regards,  
Daniel

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**From:** Christopher Honea [mailto:[chonea@ghiplaw.com](mailto:chonea@ghiplaw.com)]  
**Sent:** Tuesday, June 18, 2013 11:51 AM  
**To:** Hwang, Daniel In  
**Cc:** Peter Brasher; Murphy, Michael T; Schortgen, Steven G.; Ayers, Jennifer Klein; Randall Garteiser  
**Subject:** Re: [Blue Spike] Motion for Jurisdictional Discovery

Hi Daniel,

Blue Spike sent over the proposed discovery in an effort for Agnitio to understand what Blue Spike is seeking, so I don't see how we could get any more specific than that. The declaration does not completely address all activities that may result in specific jurisdiction, some of which could be similar to the circumstances in the attached recent order from Judge Schneider.

Please let us know when lead counsel and any local counsel is available this week to meet and confer by telephone per LR 7(h). Regards,

Christopher A. Honea  
**Garteiser Honea - Trial Attorneys**  
[chonea@ghiplaw.com](mailto:chonea@ghiplaw.com)  
44 N. San Pedro Road

San Rafael, California 94903  
(415) 785-3762  
(415) 785-3805 (fax)  
[www.ghiplaw.com](http://www.ghiplaw.com)

On Jun 14, 2013, at 8:38 AM, Hwang, Daniel In wrote:

Dear Peter,

I am assisting Mike Murphy in this matter. Thanks for this, but we can not agree to service of any of this discovery.

First, Agnitio will not agree to a jurisdictional discovery deposition. Agnitio does not have any ties to the forum, and this request is overly burdensome.

Second, Agnitio's responses and declarations already provide more than sufficient responses to all of the information that Blue Spike's discovery requests seek. These requests do not take into account the information Agnitio has provided to Blue Spike in the Declaration and Supplemental Declaration of Mr. Castano. Agnitio need not repeat itself nor parse Blue Spike's generic requests which are nearly identical to those sent to other defendants.

If Blue Spike can clarify what specific information it seeks - not covered by the comprehensive facts Agnitio has already provided - and why it would assist in the Court's determination of jurisdiction, we will consider that.

Regards,  
Daniel Hwang

----- Original Message -----

Subject: Re: [Blue Spike] Motion for Jurisdictional Discovery

From: Peter Brasher <[pbrasher@ghiplaw.com](mailto:pbrasher@ghiplaw.com)>

To: "Murphy, Michael T" <[michael.murphy@klgates.com](mailto:michael.murphy@klgates.com)>

CC: "Schortgen, Steven G."

<[Steven.Schortgen@klgates.com](mailto:Steven.Schortgen@klgates.com)>,"Ayers, Jennifer Klein"

<[jennifer.ayers@klgates.com](mailto:jennifer.ayers@klgates.com)>,randall garteiser

<[rgarteiser@ghiplaw.com](mailto:rgarteiser@ghiplaw.com)> ,Christopher Honea

[chonea@ghiplaw.com](mailto:chonea@ghiplaw.com)

Mike,

Per your request, I have attached here three discovery documents for you to review and to understand the scope of discovery we anticipate. Any objection you may have to the scope and content should be addressed in Agnitio's responses, not on the issue of whether discovery should be served.

Peter Brasher  
Garteiser Honea - Trial Attorneys  
[pbrasher@ghiplaw.com](mailto:pbrasher@ghiplaw.com)

44 N San Pedro Road  
San Rafael, CA 94903  
(888) 908-4400 ex 104  
[www.ghiplaw.com](http://www.ghiplaw.com)

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<Agnitio 30(b)(6).pdf>  
<Agnitio RFP's.pdf>  
<Agnitio Rogs.pdf>

On Jun 5, 2013, at 9:29 AM, "Murphy, Michael T"  
<[michael.murphy@klgates.com](mailto:michael.murphy@klgates.com)> wrote:

**Peter,**

**We believe our Reply**

**(1) adequately addresses the assumptions  
Plaintiff made in both its Complaint and its  
Response to our Motion to Dismiss for Lack  
of Personal Jurisdiction and**

**(2) clearly demonstrates that Plaintiff lacks  
personal jurisdiction over Defendant Agnitio  
Corp.**

**Nevertheless, if after reviewing our Reply and  
Mr. Castano's supplemental declaration,  
you in good faith still believe jurisdiction  
discovery is justified, we will consider your  
request.**

**Please provide a copy of the jurisdictional  
discovery that you intend to serve on  
Defendant Agnitio Corp.**

**We will review it and let you know if we  
oppose the Motion.**

**Regards  
Mike**

**K&L GATES**

**Michael T. Murphy**

1601 K St., N.W.  
Washington, DC 20006-1600  
tel. 202-778-9176  
cell 202-907-8911  
fax. 202-778-9100  
[michael.murphy@klgates.com](mailto:michael.murphy@klgates.com)  
[www.klgates.com](http://www.klgates.com)

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**From:** Peter Brasher [mailto:[pbrasher@ghiplaw.com](mailto:pbrasher@ghiplaw.com)]  
**Sent:** Monday, June 03, 2013 2:28 PM  
**To:** Schortgen, Steven G.; Ayers, Jennifer Klein  
**Cc:** randall garteiser; Christopher Honea  
**Subject:**

Counsel,

As you know, you have filed a motion to dismiss for lack of personal jurisdiction on behalf of your client Agnitio Corp. in an action brought by Blue Spike, LLC in E.D. Tex. Although we believe we have shown the court does have personal jurisdiction, recent orders have suggested that plaintiff must be proactive in attaining jurisdictional discovery in case the court disagrees (see attached). Therefore, we will move for authorization to serve limited jurisdictional discovery before the Rule 26(f) conference. Please let us know if you are unopposed. If opposed, please let us know when lead counsel and local counsel are available to meet and confer by telephone on the issue.

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<2012.09.21 Schneider denying MTD and granting juris discovery.pdf>  
<2012.09.25 Craven granting juris discovery.pdf>  
<2012.09.26 Craven granting juris discovery.pdf>

Regards,

Peter Brasher  
Garteiser Honea - Trial Attorneys  
[pbrasher@ghiplaw.com](mailto:pbrasher@ghiplaw.com)  
44 N San Pedro Road

San Rafael, CA 94903  
(888) 908-4400 ex 104  
[www.ghiplaw.com](http://www.ghiplaw.com)